

A bill for an act
relating to utilities; regulating the granting of route permits for high-voltage
transmission lines; amending Minnesota Statutes 2008, section 216E.03,
subdivision 7.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 216E.03, subdivision 7, is amended to read:

Subd. 7. **Considerations in designating sites and routes.** (a) The commission's
site and route permit determinations must be guided by the state's goals to conserve
resources, minimize environmental impacts, minimize human settlement and other land
use conflicts, and ensure the state's electric energy security through efficient, cost-effective
power supply and electric transmission infrastructure.

(b) To facilitate the study, research, evaluation, and designation of sites and routes,
the commission shall be guided by, but not limited to, the following considerations:

(1) evaluation of research and investigations relating to the effects on land, water
and air resources of large electric power generating plants and high-voltage transmission
lines and the effects of water and air discharges and electric and magnetic fields resulting
from such facilities on public health and welfare, vegetation, animals, materials and
aesthetic values, including baseline studies, predictive modeling, and evaluation of new or
improved methods for minimizing adverse impacts of water and air discharges and other
matters pertaining to the effects of power plants on the water and air environment;

(2) environmental evaluation of sites and routes proposed for future development and
expansion and their relationship to the land, water, air and human resources of the state;

(3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

(4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;

(5) analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;

(6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;

(7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;

(8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;

(9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(10) evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;

(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and

(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.

(c) If the commission's rules are substantially similar to existing regulations of a federal agency to which the utility in the state is subject, the federal regulations must be applied by the commission.

(d) No site or route shall be designated which violates state agency rules.

(e) The commission must make specific findings that it has considered locating a route on an existing high-voltage transmission route and the use of parallel existing railroad and highway right-of-way and, to the extent those are not used for the route, the commission must state the reasons.

Sec. 2. TRANSMISSION LINE ROUTING; DEPARTMENT OF TRANSPORTATION.

(a) The Public Utilities Commission and the Department of Transportation must cooperate in developing and implementing processes and policies to efficiently implement

3.1 the policy in new Minnesota Statutes, section 216E.03, subdivision 7a, that assigns a
3.2 preference for routing high-voltage transmission lines in highway rights-of-way.

3.3 (b) The commission must report any statutory amendments required by the
3.4 policies and procedures to the chairs and ranking minority members of the energy policy
3.5 committees of the legislature by January 15, 2011.

3.6 Sec. 3. **EFFECTIVE DATE.**

3.7 Sections 1 and 2 are effective the day following final enactment.